

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY DOCKET NUMBER TJU-1857

U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)

08/913918

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED 28 March 1995 (28.03.95) and 13 November 1995 (13.11.95)
PCT/US96/04407	28 March 1996 (28.03.96)	

TITLE OF INVENTION: ISOLATED STROMAL CELLS AND METHODS OF USING THE SAME

APPLICANT(S) FOR DO/EO/US: Darwin J. Prockop; Ruth F. Pereira; Dennis B. Leeper; Michael D. O'Hara; Joseph Kulkosky; Donald Phinney; Alexey Laptev; Jose Caro

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. A **FIRST** preliminary amendment.

A **SECOND** or **SUBSEQUENT** preliminary amendment.

14. A substitute specification.

15. A change of power of attorney and/or address letter.

16. Other items or information:

Enclosed are the following documents:

copy of the Written Opinion; copy of the International Preliminary Examination Report;

copy of the published PCT application with Search Report;

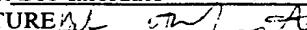
executed Small Entity Statement

EXPRESS MAIL Mailing Label No. EM347377711

Date of Deposit: 24 September 1997

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

MAILER Bob Inforzato

SIGNATURE 

U.S. APPLICATION NO. (if known 37 C.F.R. 1.5)	INTERNATIONAL APPLICATION NO. PCT/US96/04407	ATTORNEY DOCKET NUMBER TJU-1857		
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO.....\$910.00 International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$700.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$770.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$96.00		<u>CALCULATIONS</u> <u>PTO USE ONLY</u>		
		\$700.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$700.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <u> 20 </u> <u> 30 </u> months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
Claims	Number Filed	Number Extra	Rate	
Total claims	54 - 20 =	34	X \$22.00	\$748.00
Independent Claims	7 - 3 =	4	x \$80.00	\$320.00
Multiple dependent claims(s) (if applicable)		+ \$260.00	\$	
TOTAL OF ABOVE CALCULATIONS =		\$1,768.00		
Reduction by $\frac{1}{2}$ for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).		\$884.00		
SUBTOTAL =		\$884.00		
Processing fee of \$130.00 for furnishing the English translation later the <u> 20 </u> <u> 30 </u> months from the earliest claimed priority date (37 CFR 1.492(f)).		\$		
TOTAL NATIONAL FEE =		\$884.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				
TOTAL FEES ENCLOSED =		\$884.00		
		Amount to be: refunded	\$	
		charged	\$	
a. <input checked="" type="checkbox"/>	A check in the amount of <u>\$884.00</u> to cover the above fee is enclosed.			
b. <input type="checkbox"/>	Please charge my Deposit Account No. 23-3050 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: Mark DeLuca, Esq. Woodcock Washburn Kurtz Mackiewicz & Norris LLP One Liberty Place - 46th Floor Philadelphia, PA 19103 (215) 568-3100		 SIGNATURE <u>Mark DeLuca</u> NAME <u>Mark DeLuca</u> REGISTRATION NUMBER <u>33,229</u>		